

MINUTES
IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA SOUTHERN DIVISION

HON. CHARLES S. COODY, MAG. JUDGE AT MONTGOMERY, ALABAMA

DATE COMMENCED: 8/18/06 AT 2:20 p.m. to 2:45 p.m.

DATE COMPLETED: 8/18/06 AT Digital Recorded

UNITED STATES OF AMERICA

Plaintiff

VS.

DANIEL ZACHARIAH NELSON

Defendant

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CASE NO.: 1:06CR109-MEF-CSC

GOVERNMENT

APPEARANCES:

DEFENDANT

Atty. Tommie Hardwick

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Atty. Joseph E. Sawyer, Jr.

COURT OFFICIALS PRESENT:

COURTROOM DEPUTY: WANDA STINSON

LAW CLERK: CORRIE LONG

(X) OTHER PROCEEDINGS: **Hearing on Revocation of Pretrial Release**

SEE MINUTES ATTACHED

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED		
Description	Hearing : 06cr109-MEF USA v. Nelson	
Date	8 /18/2006	Location Courtroom 4B
Time	Speaker	Note
2 :20:42 PM	Court	Court convenes; parties present as noted; Discussion as to the defendant's position;
2 :22:19 PM	Atty. Sawyer	Response ; Deft request to be released pending sentencing on Sept. 7th; Defts has been advised for conditions of his released; Deft wish to speak to the court as to why he he would not be a risk; Have talked with deft's father; father agreed that he would be willing to take deft back into his home;
2 :24:56 PM	Court	Does the deft the admit to the violations set forth in the petition?;
2 :25:05 PM	Atty. Saywer	He does;
2 :25:07 PM	Court	What's the govt. position?
2 :25:15 PM	Atty. Hardwick	Govt. concurs with probation; Discussion of charges that could have been brought against deft;
2 :26:27 PM	Atty. Sawyers	Response to Govt. position;
2 :27:54 PM	Court	Would like to hear from his father; Witness takes stand ; sworn and seated;
2 :28:10 PM	Atty. Sawyer	Testimony begins of Dave Nelson, father of deft;
2 :29:58 PM	Mr. Dave Nelson	Addresses the court as to the deft's drug problem and behavior;
2 :31:18 PM	Atty. Sawyer	Cont'd testimony ;
2 :31:51 PM	Atty. Hardwick	No questions;
2 :31:57 PM	Atty. Sawyer	Calls Deft. Daniel Sawyer; Testimony begins; Discussions regarding drug treatment;
2 :36:21 PM	Court	If he's in the program, how can he go to Florida?;
2 :36:21 PM	Atty. Sawyer	He can go down on weekends;
2 :36:26 PM	Court	Questions as to how much treatment can he get in 2 weeks;
2 :36:33 PM	Atty. Sawyer	Response;
2 :36:45 PM	Court	Govt' have any question for Mr. Nelson
2 :36:48 PM	Atty. Hardwick	No sir;
2 :36:48 PM	Court	Side bar with US Probation officer, Tamara Martin;
2 :43:00 PM	Atty. Hardwick	Addresses the court as to testimony presented by the defense;
2 :44:19 PM	Court	Addresses the issues; that based on deft's admission, the Court finds probable cause to believe that deft has violated the conditions of release and further violated a federal, state or local law regarding use of marijuana; the court ORDER'S that deft's release be revoke and that the deft be detained pending further proceedings in this court;
2 :45:34 PM	Court	Court is recessed.